

**DARBY &  
DARBY**

Professional Corporation

NEW YORK  
7 World Trade Center  
250 Greenwich Street  
New York, NY 10007-0042  
Tel: 212.527.7700  
Fax: 212.527.7701

NEW YORK  
SEATTLE  
WASHINGTON, D.C.  
FRANKFURT

**INTELLECTUAL PROPERTY LAW**DATE: *November 27, 2007*

FILE #09852/0204420-US0:

FACSIMILE NO.	RECIPIENT AND COMPANY	CONFIRMATION WILL FOLLOW
571-273-0459	PCT Legal Dept Patent & Trademark Office	No

FROM: Julian A. Williams

E-MAIL: [jwilliams@darbylaw.com](mailto:jwilliams@darbylaw.com)

PHONE: 917.286.2940

NO. OF PAGES: *12*  
(including cover page)

## COMMENTS:

*2nd Request For corrected Filing Receipt***PLEASE RETURN TO JULIAN A. WILLIAMS****\* IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT 212.527.7774**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE SO THAT WE CAN ARRANGE FOR THE RETRIEVAL OF THIS DOCUMENT AT NO COST TO YOU. THANK YOU.

{W:\jaw\misc\01118919.DOC  }

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY  
EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR  
DEPOSIT ACCOUNT NO. 04-0100

Docket No.: 09852/0204420-US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Takashi Nakai et. al.

Serial No.: 10/596,004

Filed: May 21, 2007

For: WARM MOLDING RAW MATERIAL POWDER AND WARM MOLDING METHOD  
-----

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data, which is:

- |                                     |                     |        |
|-------------------------------------|---------------------|--------|
| <input checked="" type="checkbox"/> | incorrectly entered | and/or |
| <input checked="" type="checkbox"/> | omitted.            |        |

Error in	Correct data
<input type="checkbox"/> Applicant's name	
<input type="checkbox"/> Applicant's address	
<input type="checkbox"/> Title	
<input type="checkbox"/> Filing Date	
<input type="checkbox"/> Application Number	
<input checked="" type="checkbox"/> Foreign Application:	Japan 2003-394534 11/25/2003
<input checked="" type="checkbox"/> Other	Assignment For Published Application Mitsubishi Materials PMG Corporation, Niigata-shi, Japan


## Remarks:

Enclosed please find a copy of the Application Data Sheet. *As EXCLUDED DECLARATION*

The Commissioner is respectfully requested to issue a new and correct Filing Receipt.

Respectfully submitted,

Dated: September 18, 2007

  
\_\_\_\_\_  
Flynn Barrison  
Reg. No. 53,970  
Agent for Applicant(s)

DARBY & DARBY P.C.  
P.O.Box 770  
Church Street Station  
New York, NY 10008-0770

Best Available Copy



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRF ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
10/596,004	05/21/2007	1711	1030	09852/0204420-USO	11	2

CONFIRMATION NO. 1629

## CORRECTED FILING RECEIPT



\*OC000000026695742\*

7278  
 DARBY & DARBY P.C.  
 P.O. BOX 770  
 Church Street Station  
 New York, NY 10008-0770

Date Mailed: 11/09/2007

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

## Applicant(s)

Takashi Nakai, Gosen-shi, JAPAN;  
 Kinya Kawase, Niigata-shi, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number 07278

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP04/17383 11/24/2004

## Foreign Applications

JAPAN 2005-394534 11/25/2003

If Required, Foreign Filing License Granted: 09/06/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/596,004**

Projected Publication Date: 12/13/2007

Non-Publication Request: No

Early Publication Request: No

Best Available Copy

**Title**

Warm Molding Raw Material Powder and Warm Molding Method

**Preliminary Class**

528

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER****Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

Best Available Copy

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Best Available Copy

**Application Data Sheet****Application Information**

Application Type:: Regular  
Subject Matter:: Utility  
Suggested Group Art Unit:: N/A  
CD-ROM or CD-R?:: None  
Sequence submission?:: None  
Computer Readable Form (CRF)?:: No  
Title:: WARM MOLDING RAW MATERIAL POWDER  
AND WARM MOLDING METHOD  
Attorney Docket Number:: 20154/0204420-US0  
Request for Early Publication?:: No  
Request for Non-Publication?:: No  
Total Drawing Sheets:: 2  
Small Entity?:: No  
Petition included?:: No  
Secrecy Order in Parent Appl.?:: No

**Applicant Information**

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: Japan  
Status:: Full Capacity  
Given Name:: Takashi  
Family Name:: Nakai  
City of Residence:: Niigata-shi  
Country of Residence:: Japan  
Street of mailing address:: c/o Mitsubishi Materials PMG Corporation  
1-1, Kogane-cho 3-chome  
City of mailing address:: Niigata-shi

Best Available Copy

State or Province of mailing address:: Niigata  
Country of mailing address:: Japan  
Postal or Zip Code of mailing address:: 950-8640

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: Japan  
Status:: Full Capacity  
Given Name:: Kinya  
Family Name:: Kawase  
City of Residence:: Niigata-shi  
Country of Residence:: Japan  
Street of mailing address:: c/o Mitsubishi Materials PMG Corporation  
1-1, Kogane-cho 3-chome  
City of mailing address:: Niigata-shi  
State or Province of mailing address:: Niigata  
Country of mailing address:: Japan  
Postal or Zip Code of mailing address:: 950-8640

**Correspondence Information**

Correspondence Customer Number:: 07278

**Representative Information**

Representative Customer Number:: 07278

**Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/JP2004/017383	11/24/04



Best Available Copy

### Foreign Priority Information

Country::		Application number::	Filing Date::	Priority Claimed::
Japan		2003-394534	11/25/03	Yes

### Assignee Information

Assignee name::	Mitsubishi Materials PMG Corporation
Street of mailing address::	3-1-1, Kogane-cho
City of mailing address::	Niigata-shi
State or Province of mailing address::	Niigata
Country of mailing address::	Japan
Postal or Zip Code of mailing address::	950-8640

## Declaration and Power of Attorney for Patent Application

## 特許出願宣言書及び委任状

## Japanese Language Declaration

## 日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named inventor, I hereby declare that:

私の住所、郵便の宛先として四角は、私の姓名の後に記名された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名稱の発明について、特許請求範囲に記名され、且つ特許が求められている発明事項に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

WARM MOLDING RAW MATERIAL POWDER AND  
WARM MOLDING METHOD

WARM MOLDING RAW MATERIAL POWDER AND  
WARM MOLDING METHOD

上記発明の明細書はここに添付されているが、下記の箱がチェックされている場合は、この限りでない：

the specification of which is attached hereto unless the following box is checked:



11/24/2004

の日に出願され、

この出願の米国出願番号またはPCT国際出願番号は、

PCT/JP2004/017383

であり、且つ

05/24/2006

の日に修正された出願（該当する場合）

私は、上記の修正例によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。



was filed on

11/24/2004

as United States Application Number or

PCT International Application Number

PCT/JP2004/017383

and was amended on

05/24/2006

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、発明規則法第37条第1.56に規定されている、特許性について重要な情報も開示する義務があることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

TPS 03P08 027F

宣 告 7/3

OSP-22880

## Japanese Language Declaration

(日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明特許の  
出願、或いは米国以外の少なくとも一國を指定している米国特許第3  
5条第385条(b)によるPCT国際出願について、同条199条(4)  
(d)項又は同条199条(4)項に基づいて優先権を主張するとともに、  
優先権を主張する本出願の出願日より前の出願日を有する外国での  
特許出願または発明特許の出願、或いはPCT国際出願については、  
いかなる出願も、下記の内容をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code  
Section 119(a)-(d) or 365(b) of any foreign application(s) for  
patent or inventor's certificate, or 365 (a) of any PCT International  
application which designated at least one country other than the  
United States listed below and have also identified below, by  
checking the box, any foreign application for patent, or inventor's  
certificate, or PCT International application having a filing date  
before that of the application for which priority is claimed.

## Prior Foreign Application(s)

Priority Not Claimed

優先権を主張なし

外国での先行出願

2003-398534 (Number) (番号)	Japan (Country) (国名)	November 25, 2003 (Day/Month/Year Filed) (出願日/月/年)	<input type="checkbox"/>
_____ (Number) (番号)	_____ (Country) (国名)	_____ (Day/Month/Year Filed) (出願日/月/年)	<input type="checkbox"/>

私は、ここに、下記のいかなる米国似特許出願についても、その米  
国特許第35条199条(d)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code,  
Section 119(e) of any United States provisional application(s)  
listed below.

_____ (Application No.) (出願番号)	_____ (Filing Date) (出願日)
_____ (Application No.) (出願番号)	_____ (Filing Date) (出願日)

私は、ここに、下記のいかなる米国出願についても、その米国特  
許第35条第120条に基づいて利益を主張し、又本区を指定するいか  
なるPCT国際出願についても、その特許第385条(c)に基づく利益  
を主張する。また、本出願の発明特許請求の範囲の主題が、米国特許第  
35条第112条第1段に規定された範囲で、先行する米国出願又は  
PCT国際出願に開示されていない場合においては、その先行出願の  
出願日と本国内出願日またはPCT国際出願日との間の期間中に入手  
された情報で、本出願の特許第37条第1、56に規定された特許  
性に関する重要な情報について開示差違があることを主張する。

I hereby claim the benefit under Title 35, United States Code,  
Section 120 of any United States application(s), or 365(c) of any  
PCT International application designating the United States, listed  
below and, insofar as the subject matter of each of the claims of  
this application is not disclosed in the prior United States or PCT  
International application in the manner provided by the first  
paragraph of Title 35, United States Code Section 112, I  
acknowledge the duty to disclose information which is material to  
patentability as defined in Title 37, Code of Federal Regulations,  
Section 1.56 which became available between the filing date of  
the prior application and the national or PCT International filing  
date of this application.

_____ (Application No.) (出願番号)	_____ (Filing Date) (出願日)	_____ (Status Patented, Pending, Abandoned) (特許：特許許可、係属中、放棄)
_____ (Application No.) (出願番号)	_____ (Filing Date) (出願日)	_____ (Status Patented, Pending, Abandoned) (特許：特許許可、係属中、放棄)

私は、ここに表明された私の自身の知識に基く陳述が真実であり、  
且つ情報と信ずることに基づく陳述が、真実であると信じられること  
を宣明し、さらに、故意に虚偽の陳述などを行った場合は、米国特許  
第18条第1001条に基づき、罰金または拘禁、若しくはその両方  
により処罰され、またそのような虚偽による虚偽の陳述は、本出願ま  
たはそれに対して発行されるいかなる特許も、その有効性に問題が生  
ずることを理解した上で陳述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own  
knowledge are true and that all statements made on information  
and belief are believed to be true; and further that these statements  
were made with the knowledge that willful false statements and  
the like so made are punishable by fine or imprisonment, or both,  
under Section 1001 of Title 18 of the United States Code and that  
such willful false statements may jeopardize the validity of the  
application or any patent issued thereon.

= P503P0802!! 001.

宣・奉 9/3

OSP - 22880

## Japanese Language Declaration

(日本語宣言書)

委任状: 私は本出願を審査する手続を行い、且つ米国特許権行使との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び/または特許士を任命する。(氏名及び登録番号を記載すること)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number).

Attorneys associated with Customer Number 07278

Attorneys associated with Customer Number 07278

送付先  
Address associated with Customer Number 07278  
DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257

Send Correspondence to:  
Address associated with Customer Number 07278  
DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257

直接電話通話先: (氏名及び電話番号)  
Joseph R. Robinson, (212) 527-7783

Direct Telephone Calls to: (name and telephone number)  
Joseph R. Robinson, (212) 527-7783

第一または第一発明者氏名 Takashi Nakai	Full name of sole or first inventor Takashi Nakai
発明者の署名 日付	Inventor's signature Date Takashi Nakai March 31, 2007
住所	Residence Gosen-shi, Japan
国籍 Japan	Citizenship Japan
郵便の宛先 c/o Mitsubishi Materials PMG Corporation 1-1, Kogane-cho 3-chome Niigata-shi, Niigata 950-8640; JAPAN	Post Office Address c/o Mitsubishi Materials PMG Corporation 1-1, Kogane-cho 3-chome Niigata-shi, Niigata 950-8640; JAPAN
第二共同発明者がいる場合、その氏名 Kinya Kawase	Full name of second joint inventor, if any Kinya Kawase
第二共同発明者の署名 日付	Second inventor's signature Date Kinya Kawase March 31, 2007
住所	Residence Niigata-shi, Japan
国籍 Japan	Citizenship Japan
郵便の宛先 c/o Mitsubishi Materials PMG Corporation 1-1, Kogane-cho 3-chome Niigata-shi, Niigata 950-8640; JAPAN	Post Office Address c/o Mitsubishi Materials PMG Corporation 1-1, Kogane-cho 3-chome Niigata-shi, Niigata 950-8640; JAPAN

(第三以下の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)